

NARCOTIC DRUGS: FREE CITY OF DANZIG

*Exchange of notes at Warsaw February 10, March 5 and 12, and
August 24, 1928
Entered into force August 24, 1928
Obsolete ¹*

Department of State files

The American Chargé d'Affaires ad interim to the Minister of Foreign Affairs

WARSAW, POLAND
February 10, 1928

No. 1007

EXCELLENCY:

I have the honor to inform Your Excellency that, in an endeavor to bring about a stricter control of the illicit traffic in narcotic drugs, the Treasury Department of my Government has requested that an effort be made to establish closer co-operation between the appropriate officials of the United States and certain European countries.

In view of the above, I have been directed by my Government to endeavor, through the appropriate authorities of Your Excellency's Government, to arrange with the Government of the Free City of Danzig for

(1) The direct exchange between the Treasury Department of the United States and the corresponding office in the Free City of Danzig of information and evidence with reference to persons engaged in the illicit traffic. This would include such information as photographs, criminal records, finger prints, Bertillon measurements, description of the methods which the persons in question have been found to use, the places from which they have operated, the partners they have worked with, etc.

(2) The immediate direct forwarding of information by letter or cable as to the suspected movements of narcotic drugs, or of those involved in smuggling drugs, if such movements might concern the other country. Unless such information as this reached its destination directly and speedily it is useless.

(3) Mutual co-operation in detective and investigating work.

For the information of the interested authorities I may state that the officer of the Treasury Department who would have charge, on behalf of the

¹ The former Free City of Danzig was placed under Polish administration Aug. 2, 1945. See Berlin (Potsdam) Conference, *ante*, vol. 3, pp. 1218 and 1234.

Government of the United States, of the co-operation in the suppression of the illicit traffic in narcotics is Colonel L. G. Nutt, whose mail and telegraph address is Deputy Commissioner in Charge of Narcotics, Treasury Department, Washington, D.C.

In the event that the proposed arrangement meets with the approval of the Free City of Danzig, I should appreciate being advised of the name of the official with whom Colonel Nutt should communicate.

Accept, Excellency, the assurance of my highest consideration.

J. WEBB BENTON
Chargé d'Affaires ad interim

His Excellency
AUGUST ZALESKI
Minister for Foreign Affairs
Warsaw

The Minister of Foreign Affairs to the American Chargé d'Affaires ad interim

[TRANSLATION]

REPUBLIC OF POLAND
MINISTRY OF FOREIGN AFFAIRS

No. P.I.G. 20142

WARSAW, *March 5, 1928*

MR. CHARGÉ D'AFFAIRES:

In answer to your letter of February 10 of the present year, concerning the application of the most efficacious means for the control of the prohibited traffic in noxious drugs, I have the honor to request that you kindly inform me as to which drugs (narcotic drugs) it is the question of in your above-mentioned note.

I would also appreciate your informing me if the arrangement is contemplated to apply exclusively to the Port of Danzig or to all the ports of Poland, including the Port of Gdynia.

Accept, Mr. Chargé d'Affaires, the assurances of my high consideration.

For the Minister and
by his direction,
[Signature illegible]

Mr. J. WEBB BENTON
Chargé d'Affaires a.i.
Legation of the United States of America
Warsaw

*The American Chargé d'Affaires ad interim to the Minister of Foreign Affairs*WARSAW, POLAND
March 12 1928

No. 1061

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's communication No. P. I. G. 20142, dated March 5, 1928, in which reference is made to my Note No. 1007 of February 10, 1928, concerning a stricter control of illicit narcotic drugs, and wherein information is requested as to what narcotic drugs my note refers and whether the steps requested for the suppression of this illicit traffic would refer solely to the port of Danzig or to all ports of Poland, including Gdynia.

In reply, I have the honor to advise Your Excellency that the suppression of the illicit traffic in all narcotic drugs would appear to be desired by my Government. It might be stated that in accordance with American practice a narcotic drug is any liquid, powder, extract or medicinal preparation in any form which in moderate doses allays susceptibility to pain, or which may relieve pain entirely and produce profound sleep, but which in poisonous doses is very dangerous and which may cause death. The chief narcotics are opium, belladonna, Indian hemp, stramonium, hyoscyamus and lactucarium. All of the above have various alkaloids or active principles, for instance morphine is obtained from opium, while atropine is obtained from belladonna, where as codeine and heroin are artificial alkaloids, derived from morphine. Cocaine, which is an alkaloid obtained from coca leaves, should also be included in the above list. It may be added, moreover, that irrespective of what any drug or chemical may be, its real designation as a narcotic can only be determined by its physiological effect upon the human system.

I have the honor to attach hereto copies of articles 573 and 574 of the United States Customs Regulations, entitled, "Opium and other narcotic drugs prohibited," and "Definitions"; as well as Treasury Decision No. 39154 of June 12, 1922, which is a prescription of the United States Federal Narcotics Control Board.

In reply to Your Excellency's last inquiry, I have the honor to advise that

the instructions of my Government would apply solely to the Free City of Danzig.

Accept, Excellency, the renewed assurance of my high consideration.

J. WEBB BENTON
Chargé d'Affairs ad interim

Enclosures:

Copies of Articles 573 and 574 of U.S. Customs Regulations

Copy of Treasury Decision 39154

His Excellency

AUGUST ZALESKI

Minister for Foreign Affairs
Warsaw, Poland

UNITED STATES CUSTOMS REGULATIONS

Art. 573. *Opium and other narcotic drugs prohibited.*

The importation of opium in any form shipped by or consigned to Chinese subjects is absolutely prohibited. The importation of smoking opium or opium prepared for smoking, and of all narcotic drugs, by any person is also prohibited, except crude opium and coca leaves, which may be imported under permits issued by the Federal Narcotics Control Board, Treasury Department, Washington, D.C., by manufacturers actually engaged in manufacturing from such crude opium products for the whole-sale trade for medical or other legitimate uses.

Art. 574. *Definitions.*

(1) The term "narcotic drugs" means opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine.

(2) The term "crude opium" shall be understood to mean the spontaneously coagulated sap obtained from the soporific poppy (*Papaver somniferum* and related species), and which may or may not have been subjected to further drying or other treatment, thus covering all forms of opium known to the trade, such as gum opium, granulated opium, powdered opium and deodorized (denarcotized) opium, except "smoking opium" or "opium prepared for smoking."

(3) By coca leaves shall be understood the leaves of *Erythroxylon coca*, known commercially as "Huanuco Coca," or the leaves of *Erythroxylon truxillense*, known commercially as "Truxillo Coca," or the leaves of any other species of *Erythroxylon* yielding cocaine.

(4) The term "cocaine" shall be understood to cover all forms of cocaine or its salts known to the trade.

(5) The term "derivative" shall be understood to mean any alkaloid, or salt of any alkaloid, or combination thereof, or any chemical compound prepared either directly or indirectly from the alkaloids of opium or from cocaine. It shall include morphine, codeine, ethylmorphine hydrochloride (known as dionin), or diacetylmorphine hydrochloride (known as heroin), their salts or combinations and any new derivative of morphine, or cocaine, or of any salts of morphine or cocaine, or any other alkaloid of opium.

(6) The term "preparation" shall mean any product, mixture, or compound containing or representing any quantity of opium or coca leaves or any derivative thereof.

TREASURY DECISION NO. 39154, DATED JUNE 12, 1922.

The Federal Narcotics Control Board hereby prescribes the following regulations:

Regulation 1. Definitions. (a) The term "crude opium" shall be understood to mean the spontaneously coagulated sap obtained from the soporific poppy (*Papaver somniferum* and related species), and which may or may not have been subjected to further drying

or other treatment, thus covering all forms of opium known to the trade, such as gum opium, granulated opium, powdered opium, and deodorized (denarcotized) opium, except "smoking opium" or "opium prepared for smoking."

(b) By coca leaves shall be understood the leaves of *Erythroxylon Coca*, known commercially as "Huanuco Coca," or the leaves of *Erythroxylon Truxillense*, known commercially as "Truxillo Coca," or the leaves of any other species of *Erythroxylon* yielding cocaine.

(c) The term "cocaine" shall be understood to cover all forms of cocaine or its salts known to the trade.

(d) The term "derivative" shall be understood to mean any alkaloid, or salt of an alkaloid, or combination thereof, or any chemical compound prepared either directly or indirectly from the alkaloids of opium or from cocaine. It shall include morphine, codeine, ethylmorphine hydrochloride (known as dionin) or diacetylmorphine hydrochloride (known as heroine), their salts or combinations and any new derivative of morphine or cocaine, or of any salts of morphine or cocaine, or any other alkaloid of opium.

(e) The term "preparation" shall mean any product, mixture, or compound containing or representing more than 2 grains of opium, or 1 grain of codeine, or one-fourth grain of morphine or one-eighth grain of diacetylmorphine hydrochloride (heroine); or 0.1 per cent of cocaine in 1 fluid ounce or, if a solid or semisolid, in 1 avoirdupois ounce.

The Minister of Foreign Affairs to the American Minister

[TRANSLATION]

No. P. I. 20414/28

WARSAW, August 24, 1928

MR. MINISTER:

Referring to the notes of the American Legation dated February 10, and March 12, 1928, relative to the organization of a strict collaboration between the Treasury Department of Washington on one part, and the corresponding competent office of the Senate of the Free City of Danzig on the other, with reference to the fight against illegal traffic in narcotics, I have the honor to communicate that questions concerning traffic in opium are under the auspices of the Health Department of the Free City of Danzig.

This office will give the information requested by the Legation, however, only in so far as it concerns narcotics enumerated in Article 4 of the International Opium Convention, dated February 19, 1925.²

As to the other articles enumerated in the Legation's note such as belladonna, "pomme epineuse jusquiame", etc., I have the honor to inform you that the legislation of the Free City of Danzig relative to the fight against illegal traffic in narcotics does not include these articles.

Please accept, Mr. Minister, the assurances of my high consideration.

AUGUST ZALESKI

To His Excellency

JOHN B. STETSON

Envoy Extraordinary and

Minister Plenipotentiary

of the United States of America

at Warsaw

² 81 League of Nations Treaty Series 317.